

Municipal Police Training Committee
Monthly Meeting Minutes
HQ Randolph
June 21, 2019

Call to Order

At 9:39 AM, Chairman Jim Hicks called the monthly meeting of the Municipal Police Training Committee to order and greeted all present.

Attendees: Voting Members

Chairman Jim Hicks – Northeast Mass; Chief Brian Kyes- Mass Chiefs; Chief Mike Botieri- Southeast Mass; Superintendent Michael Cox–Boston Police; Undersecretary Terrence Reidy –EOPSS; Superintendent Richard Sullivan- MBTA; Commandant Michael Baxter- MSP; James O'Brien- AAG and Joseph Vieira- MPA.

MPTC Staff

Marylou Powers, John Melander-EOPSS Legal

Guests

Joseph Cecchi, Thomas Flynn, Tom Glynn, William Kingkade, Michael Pighetti, William Buckley, Peter Roddy, Phil Terenzi, Donna DeVeiga

Review/Approval of Minutes

A motion was made to approve the Minutes for the May 28, 2019, meeting. The Motion was seconded and passed.

Police Standards and Training

The following requests for temporary waivers were recommended for approval by the Committee:

Temporary Waivers:

Stephen LaCava	Millville PD
Sean P Prive	Holden PD

A Motion was made to approve the two (2) temporary waivers as presented. There was a second and the Motion passed by unanimous voice.

Permanent Exemptions:

Jesus Ostolaza, Jr	Shirley
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The Standards Committee did not recommend approving this request due to the fact that Officer Ostolaza has not yet completed a fulltime municipal academy. He completed the SSPO in 1999 and worked for various campus departments. He completed the New Hampshire "Law Package" in 2006 and worked as a fulltime officer in New Hampshire for two years before coming back to MA and campus employment. **A Motion was made to deny this request for an Exemption. There was a second and the Motion was passed by unanimous vote.**

The Standards Committee also considered a request for consideration of a training alternative, filed by the Milford Selectmen on behalf of Interim Chief Michael Pighetti, who has a six-year (6) break in service. William Buckley, Chairman of the Board of Selectmen, shared that Chief Pighetti had previously served as an Interim Chief and was not an inside candidate for the position. Chief Kyes assured the members that while the Committee was trying to be reasonable, they were also trying to be consistent in the way they treat the existing CMR and decisions they have made. Chief Botieri asked if there was anything to preclude him from being an administrative chief, to which Mr. Buckley responded there was not. At this point Chief Kyes requested a break to reconvene the Standards Committee.

Upon returning, it was stated that the reconvening of the Standards Committee was to ensure consistency in decision-making by discussing recent decisions. A recent request was from an individual who, though out of municipal service for a number of years, was nonetheless performing police related duties at the federal level. In that instance, he was also assuming the position of Chief, but the candidate was required to attend the Reserve Academy before exercising police powers. Interim Chief Pighetti was asked what he had been doing since his retirement. Chief responded that he had no involvement in law enforcement during this time. He said he believes in the MPTC and what we do. This request was for "him." He is a "street cop" and he wants to protect himself and his town from liability. His hope was that he could satisfy the requirements by attending Legal Updates. To have to attend a fulltime, or part-time academy was not practical. His appointment is expected to only last six to nine months.

Chief Kyes commented that when an officer is out on disability for five or more years and is returned to duty by PERAC, they are required to attend the full academy but they do not need to participate in daily PT. In the interest of consistency, **a Motion was made to require attendance of the full academy, minus PT, as a Return to Duty officer, prior to exercising police powers. The Motion was seconded and passed by unanimous vote.**

Update on the 550 CMR 3.00

Marylou Powers announced that the meeting of June 17, 2019, was postponed and will be rescheduled.

Disciplinary Hearing

There were no current disciplinary hearings.

Open Discussion:

None

Executive Director Report

Recruit Officer Training Updates

Boston: Graduated 117 officers on June 19, 2019. Possible December 2019 class.

Cambridge/NU: Started May 6. 28 student officers (20 municipal/8 campus). Graduation is scheduled for September 20, 2019.

Cape Cod Regional : July 8 start date with 45 confirmed applications

FSU: currently has 155 total police students. The 2nd ROC began May 20 with 9 students. Anticipated graduation of September 13, 2019.

Lowell: started May 20 with 55 students and presently is at 50. Graduation is scheduled for October 18, 2019.

MSP RTT: Now at 171 with a graduation date of June 27, 2019.

NECC: Began May 28 with 43 students. Presently at 37. Graduation is November 22, 2019.

Plymouth: A new class of 47 began April 1, 2019, and is presently at 43 with a graduation date of August 30, 2019. Next class is scheduled for October 14, 2019, with a March 13, 2020, graduation date).

Randolph: Presently has 42 student officers. Graduation is June 28, 2019. Next class is September 9, 2019, and is full.

Reading: Presently has 45. Graduation will be August 13 2019. Next date: November 4, 2019.

Springfield: Presently at 42. A July 18 graduation date is planned. Planning a fall class.

Transit: A class of 25 began March 25, 2019, and is presently at 44. Graduation is scheduled for September 25, 2019. Anticipating another September class.

WMass: Began June 10, 2019 with 48. Currently at 46. Graduation date of November 8, 2019.

Worcester: Presently at 40 with a June 28 graduation planned.

In the absence of ED Zivkovich, Marylou Powers relayed the following information:

Academy Director Position Updates

Boylston Academy Director:

Though it was announced that Joanne Gardiner has been offered and has accepted the position, we were not aware that the Governor's Office reinstituted the full background check. As a result, Joanne will likely not be starting before August which also means it is unlikely that a class will be scheduled for Boylston before January 2020. Once on board, Joanne will need to get oriented, assemble a team and start her scheduling process. Ideally, she will be shadowing Lara Thomas as she schedules her September class in Randolph, as well as acclimating herself to the position and meeting with other Academy Directors. Chief Kyes was hoping for an October start date but we certainly cannot commit to that before she is even officially on board. U/S Reidy feels the background will be processed within two weeks.

Reading Academy Director

This position will not be posted until the end of the year, at the earliest. Chief Ferullo (ret) has been enjoying this position and is doing an excellent job. He advises that he has enough available working hours remaining to continue as the Academy Director for the next class. With his passion for training and his alignment with the philosophies of the MPTC and our recruit training, he is an excellent fit and we have taken him up on his offer to oversee a second class.

FY20 Training/Strategic Plan Update

We have met with Major Ray Richards and Capt Steve Taranto regarding a NG ROC class. The Guard is embracing the new curriculum and together, we are already doing a better job of focusing on what the MP's can do versus simply focusing only on the training they receive. They are in the process of looking for areas where it is appropriate to grant the MP's credit for training received AND retained. We will then develop a test-out component, where appropriate, and they will conduct remedial training when needed, to assure MP's are graduating with the desired level of knowledge and skills.

We have also identified funding to allow us to begin sending evaluators to sit in on training to provide instructors feedback and to conduct quality control. These assessments will be conducted by our Instructor Development cadre – our Level IV's. However, there are some concerns from instructors involved in the ROC due to the newness of the delivery modalities. Consequently, we are going to delay the ROC evaluations to give instructors an opportunity to get comfortable with the new curriculum and instead, focus on in-service and specialized training where Dori's team will be

assessing and providing feedback relative to instructor performance, all in the interest of instructor improvement and quality control.

Chief Hicks offered that there is much consternation among regional Chiefs regarding the leveling of instructors and it is not clear to many what the levels are and how to move from one level to the next. Chief Kyes requests clarity on the website for those who are interested. U/S Reidy suggested that we might offer an Orientation periodically for those who might be interested in becoming instructors and take the opportunity to explain what the process entails. It was also suggested that Academy Directors take the opportunity to do the same when using role-players and volunteers in the ROC.

Municipal Police Training Fund Update

The first quarter deposit has been made into the MPTF in the amount of \$1,094,398. However, the process for utilizing the funds is still being worked out. In addition, there will be a detailed end-of-the-year report to the legislature required. The plans is to use the MPTC operating budget for our traditional training, to include in-service, Instructional Development, Front Line Supervision and FTO. The subsidies for recruit training will be shifted to the MPTF. Potential training and associated costs, based on suggestions of Chiefs and officers, were again made available. The total of \$4,394,000.00 includes a possible instructor pay increase as well as outfitting MPTC Academies with wireless capability. Though costly to implement and maintain, it is necessary to delivery effective training in our academies.

The Committee was reminded that as of July 1, 2019, annual firearms training and requalification will be required for all weapons officers are issued or permitted to carry. Chief Hicks mentioned there was a region who felt this was “all new” and that the time and number of rounds this will require was too much. The training requirement was explained as not being new but amended to include any weapon an officer is issued, not just their handgun.

Old Business

Legislation Affecting Police Training

Staff has convened a working group to begin discussing the role of the Civil Rights Officer within communities. Per legislation, MPTC is tasked with creating a program for those officers appointed as CRO's by their department. The group is focusing on what the primary role of the officer will be and what training currently exists that we might model. The group is also considering what a basic program would look like and to then consider additional training programs building on that. Though too early for a program delivery date, it is anticipated that there would be enough information to share with the Chiefs at their fall meeting in anticipation of a roll out.

Reserve/Intermittent Basic Training Hours and Topics

Chief Hicks commented that there are still people who believe that we are eliminating reserve officers/training and in the next month or so! In visiting with various Chiefs groups the consensus is that the training should be the same but how to accomplish that is the issue. The Chairman re-emphasized the importance of holding small group meetings, statewide, to listen to the concerns of agencies most affected and discuss possible training options.

Recruit Entry-level Fitness Standards Revisited

At last month's meeting, concerns of a few of the Commonwealths largest departments over the entry-level fitness standards that had been recently voted on for implementation July 1, 2019, produced a six month moratorium on its implementation, moving it to January 1, 2020. Chairman Hicks commented that he has been receiving feedback that this was not a welcome change. He stated that the Committee needs to be sensitive to all cities and towns in the Commonwealth. There was much discussion about a lower entry standard, giving time to build to a predetermined higher standard of fitness. It was suggested that MPTC might develop a training video on how to properly prepare for training, available to those who are considering pursuing this career. A lower entry level would allow more students entry and with an opportunity for coaching in Health and Wellness on how to build strength and stamina, with a reasonable goal. Those departments that have cadet programs could be mentoring these students and help prepare them for application. Several ideas were offered with regards to working with candidates during the hiring process. Ultimately, a new **Motion was made to reconsider the Motion of last month's meeting regarding the moratorium on entry-level fitness testing to enter a police academy and instead revise the fitness standard to establish a 30th percentile entry level (based on The Cooper Institute norms) for any academy beginning after September 1, 2019. Students must also then attain the 40th percentile in all four events by week 8. Those who fail to do so will be retested by week 10. Failure to meet the standard by week 10 will result in dismissal for non-disciplinary reasons. Participation requirements remain in effect. The Motion was seconded and passed, one abstention (Vieira).** Jason Shea, MPTC SWC will be asked to amend the daily PT regimen to reflect the new standards.

Training Year 2020 In Service Topics for Chiefs

The Chiefs Training Committee has not yet had their meeting. One thing they do seem certain of is to mirror the Officer Survival piece and Chief Hicks offered that he knows that Dori Ference is already working on this piece. Chief Hicks will have more information at the next month's meeting.

New Business

Marylou offered under the "Food for Thought" category the fact that staff is creating new basic training programs for FTO's (now being called Field Training Evaluator), SRO's and CRO's. The MGL's do not constrain the Committee from setting standards and staff suggests the Committee consider setting mandatory minimum training standards for these positions. It has been suggested by and within each of the focus groups as a starting point for training.

Before closing, Chief Kyes shared feedback he is getting from ROC instructors who are concerned about the ROC tests. Their impression is that the failure rate is increasing and their perspective is that it is because they do not have access to the questions and therefore are unable to focus on the appropriate material. His suggestion is that the instructors be able to write some of the test questions and have access to a pool of questions. They would not know which questions from the pool would be used on a given test but they could fine tune their delivery. He used the exam of a college program where the professors write their own test based on the classroom lectures. The Chief feels that we are sending a message to the instructors that we do not trust them. Marylou commented that staff knows that testing is a hot button issue and is working with Academy Directors, tracking results and questions with high failure rates, in a few instances even giving credit for questions. All results are going back to the developer and changes have been made when warranted. It is a living document and will be ever changing as the profession grows. This does highlight the need for a Curriculum/Testing Developer on staff, however, to keep the document current.

Chief Hicks questioned the registration process in Acadis for in-service training and asked whether each segment of in service required a new registration. More discussion on this at the next meeting.

Before closing, the Chairman thanked Mike Baxter for all the work he has done on the Committee and the passion he has displayed for training. This is likely his last meeting before moving on to IA for the MSP. The Chairman thanked him for his contributions and wished him luck in his new position.

Next Meeting

The next meeting is tentatively scheduled for **July 17, 2019**, at the **WMass Academy**, commencing at 10:00 AM. Confirmation of a quorum will be polled through Doodle.

Adjournment

At 12:07 PM, a motion was made to adjourn the meeting. The motion was seconded and passed by unanimous voice.

